

103D CONGRESS
1ST SESSION

S. 1746

To establish a youth development grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Mrs. KASSEBAUM (for herself, Mr. DODD, Mr. INOUE, Mr. STEVENS, and Mr. DURENBERGER) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To establish a youth development grant program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Youth Development Block Grant Act of 1993”.

6 (b) TABLE OF CONTENTS.—The table of contents is
7 as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Definitions.
- Sec. 5. Allocation and distribution of funds.
- Sec. 6. Local Youth Development Board.
- Sec. 7. State Youth Development Commission.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In an increasingly complex and competitive
4 world economy, the human capital of the United
5 States is its most important resource. Too many
6 young people in the United States are reaching
7 adulthood unprepared to be productive workers, ef-
8 fective parents, or responsible citizens. The United
9 States cannot remain strong unless the Nation ends
10 this tragic waste of human potential.

11 (2) Over the past decade, public concern related
12 to young people has focused primarily on improving
13 academic performance and combating youth prob-
14 lems such as substance abuse and juvenile delin-
15 quency. The Federal Government has established
16 ambitious National Education Goals and declared a
17 “War on Drugs”, and Federal Government invest-
18 ment related to both initiatives has increased dra-
19 matically.

20 (3) It is becoming increasingly clear, however,
21 that the United States will neither achieve the edu-
22 cation goals of the Nation nor make significant
23 progress on problems such as substance abuse and
24 juvenile delinquency unless the Nation addresses the
25 broader developmental needs of youth. Young people

1 who lack self-confidence, self-discipline, respect for
2 others, and a sense of connection to their families
3 and communities, are unlikely to be successful in
4 school, and far more likely to engage in high-risk
5 behaviors.

6 (4) Parents have primary responsibility for the
7 social, moral, emotional, physical, and cognitive de-
8 velopment of their children. However, tremendous
9 social and demographic changes during the last 30
10 years have had a significant effect on family life and
11 youth development, creating the need for programs
12 to strengthen families and help parents meet the so-
13 cial, moral, emotional, physical, and cognitive needs
14 of their children.

15 (5) The lack of supervision of youth by parents
16 and the lack of meaningful activity after school for
17 youth contributes to the spread of violent juvenile
18 delinquency in the form of youth and gang violence,
19 drug trafficking, dangerous and self-destructive be-
20 havior, and lack of hope among youth in our Nation.

21 (6) The United States expects too much of its
22 schools if the Nation asks the schools to meet single-
23 handedly the needs described in paragraph (5) in ad-
24 dition to accomplishing their basic educational mis-
25 sion. Only a strong partnership among families,

1 schools, local government, religious organi- zations,
2 community-based youth-serving organizations, com-
3 munity-based family-serving organizations, business,
4 and labor can create a community environment that
5 truly supports the youth of the Nation in reaching
6 their highest potential.

7 (7) Nonschool-based youth development pro-
8 grams, including youth clubs, sports and recreation
9 programs, mentoring programs, and leadership de-
10 velopment and community service programs, make a
11 major contribution to helping youth develop the life
12 skills and moral values that will prepare the youth
13 for the challenges of adolescence and the independ-
14 ence and responsibilities of adulthood.

15 (8) Participation in positive youth development
16 programs can lead to a reduction in high-risk behav-
17 iors, including school failure, teenage pregnancy, use
18 of alcohol and drugs, and juvenile delinquency.
19 Youth from low-income, at-risk communities, who
20 would greatly benefit from such programs, however,
21 are least likely to have access to such programs.

22 (9) Community-based youth-serving organiza-
23 tions are an effective resource in developing and im-
24 plementing community youth development plans,
25 both because of the responsiveness of the organiza-

1 tions to local community values and concerns, and
2 the ability of the organizations to mobilize commu-
3 nity resources. For example, the 15 member organi-
4 zations of the National Collaboration for Youth col-
5 lectively serve over 25,000,000 youth, and mobilize
6 over 4,000,000 volunteers to carry out community-
7 based youth development services.

8 (10) Notwithstanding the efforts of community-
9 based youth-serving organizations, in most local
10 communities youth development efforts are so frag-
11 mented and underfunded that millions of youth na-
12 tionwide go unserved, and no process exists through
13 which key groups regularly come together to develop
14 a comprehensive youth development plan. Without a
15 mechanism for coordination, narrowly focused Fed-
16 eral programs are unable to meet the comprehensive
17 needs of the youth of the Nation.

18 (11) Increased Federal investment in programs
19 under the Head Start Act and other early childhood
20 development programs signals an encouraging shift
21 toward a comprehensive long-term, holistic, invest-
22 ment-oriented strategy in promoting the healthy de-
23 velopment of children in the United States.

24 (12) It is critical that the Federal Government
25 adopt the same type of comprehensive strategy in

1 promoting the positive development of youth, and
2 encourage and empower communities to develop and
3 implement comprehensive youth development plans.

4 **SEC. 3. PURPOSES.**

5 It is the purpose of this Act to expand community-
6 based youth development services, and to support commu-
7 nities in designing strategic plans for youth development
8 that—

9 (1) give priority to prevention of youth prob-
10 lems through youth development;

11 (2) support the primary role of the family in
12 positive youth development;

13 (3) support community-based youth develop-
14 ment organizations in expanding youth development
15 opportunities; and

16 (4) promote increased community coordination
17 and collaboration in meeting the developmental
18 needs of youth.

19 **SEC. 4. DEFINITIONS.**

20 As used in this Act:

21 (1) ASSISTANT SECRETARY.—The term “Assist-
22 ant Secretary” means the Assistant Secretary for
23 Children and Families of the Department of Health
24 and Human Services.

1 (2) COMMUNITY-BASED.—The term “commu-
2 nity-based”, used with respect to a youth develop-
3 ment organization or a youth-serving organization,
4 means such an organization that—

5 (A) is exempt from taxation under section
6 501(c)(3) of the Internal Revenue Code of
7 1986;

8 (B) is not a government entity; and

9 (C) is representative of a community or a
10 significant segment of a community and is en-
11 gaged in providing services to the community.

12 (3) COUNTY.—The term “county” includes a
13 political subdivision of a State.

14 (4) LOCAL BOARD.—The term “Local Board”
15 means a Local Youth Development Board estab-
16 lished under section 6.

17 (5) LOW INCOME FAMILY.—The term “low in-
18 come family” means a family with an income below
19 the poverty line.

20 (6) NATIONAL COMMISSION.—The term “Na-
21 tional Commission” means the National Youth De-
22 velopment Commission established under section 8.

23 (7) NATIONAL YOUTH DEVELOPMENT ORGANI-
24 ZATION.—The term “national youth development or-
25 ganization” means an organization whose purpose

1 and activities are national in scope, and that, either
2 directly or through its local affiliates, provides youth
3 development programs in at least 7 States.

4 (8) OUTCOME OBJECTIVE.—The term “outcome
5 objective” means an objective that relates to the im-
6 pact of a program or initiative, with respect to the
7 participants in the program or initiative or the com-
8 munity that the program or initiative serves, such as
9 an objective relating to changes—

10 (A) in the competencies described in para-
11 graph (15)(A) of individual participants in the
12 program or initiative;

13 (B) in the incidence of positive or negative
14 behaviors among such participants; or

15 (C) in the incidence of such behaviors
16 among youth in such community.

17 (9) POVERTY LINE.—The term “poverty line”
18 means the income official poverty line (as defined by
19 the Office of Management and Budget, and revised
20 annually in accordance with section 673(2) of the
21 Community Services Block Grant Act (42 U.S.C.
22 9902(2)) applicable to a family of the size involved.

23 (10) PROCESS OBJECTIVE.—The term “process
24 objective” means an objective that relates to the

1 manner in which a program or initiative is carried
2 out, such as an objective relating to—

3 (A) the degree to which the program or
4 initiative is reaching its intended target popu-
5 lation;

6 (B) the number, age, gender, and ethnicity
7 of the youth involved in the program or initia-
8 tive;

9 (C) the degree to which the services deliv-
10 ered are consistent with the intended program
11 model; and

12 (D) the cost of delivering services under
13 the program or initiative.

14 (11) STATE.—The term “State” means each of
15 the several States of the United States, the District
16 of Columbia, the Commonwealth of Puerto Rico, the
17 Commonwealth of the Northern Mariana Islands,
18 American Samoa, Guam, and the United States Vir-
19 gin Islands.

20 (12) STATE COMMISSION.—The term “State
21 Commission” means a State Youth Development
22 Commission established under section 7.

23 (13) YOUTH.—The term “youth” means an in-
24 dividual who is not younger than 6 and not older
25 than 19.

1 (14) YOUTH DEVELOPMENT ORGANIZATION.—

2 The term “youth development organization” means
3 a youth-serving organization with a major emphasis
4 on providing youth development programs.

5 (15) YOUTH DEVELOPMENT PROGRAM.—The
6 term “youth development program” means a pro-
7 gram that—

8 (A) in order to enable youth to deal suc-
9 cessfully with the challenges of adolescence and
10 prepare the youth for the independence and re-
11 sponsibilities of being parents, workers, and
12 citizens, helps the youth to develop—

13 (i) social competencies, such as work
14 and family life skills, problem-solving
15 skills, and communication skills;

16 (ii) moral competencies, such as per-
17 sonal values and ethics, a sense of respon-
18 sibility and citizenship (including participa-
19 tion in civic life and community service),
20 and respect for diversity;

21 (iii) emotional competencies, such as a
22 sense of personal identity, self-confidence,
23 autonomy, and the ability to resist negative
24 peer pressure;

1 (iv) physical competencies, such as
2 physical conditioning and endurance, and
3 an appreciation for and strategies to
4 achieve lifelong physical health and fitness;
5 and

6 (v) cognitive competencies, such as
7 knowledge, reasoning ability, creativity,
8 and a lifelong commitment to learning and
9 achievement;

10 (B) conducts activities with a primarily
11 nonacademic focus;

12 (C) employs primarily active and experien-
13 tial learning methods; and

14 (D) promotes the competencies described
15 in subparagraph (A) through group and one-to-
16 one activities, which may include activities in
17 youth clubs, sports and recreation, mentoring,
18 arts, values education, leadership development,
19 crime and delinquency prevention, community
20 service or volunteerism, child care, career coun-
21 seling, job skills training, life skills training,
22 health education including drug and alcohol
23 prevention, parenting skills activities, camping,
24 environmental education, ethnic or cultural en-
25 richment, tutoring, and academic enrichment.

1 (16) YOUTH-SERVING ORGANIZATION.—The
2 term “youth-serving organization” means an organi-
3 zation with a primary focus on providing youth de-
4 velopment, medical, educational, special education,
5 psychological, vocational and training, rehabilitative,
6 or housing services to youth.

7 **SEC. 5. ALLOCATION AND DISTRIBUTION OF FUNDS.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this Act,
10 \$400,000,000 for fiscal year 1995, and such sums as may
11 be necessary for each of the fiscal years 1996, 1997, and
12 1998.

13 (b) ALLOCATION AND DISTRIBUTION OF LOCAL AL-
14 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
15 TIONS EQUAL OR EXCEED \$100,000,000.—

16 (1) TOTAL LOCAL ALLOCATION.—For any fiscal
17 year for which the total sums appropriated under
18 subsection (a) are not less than \$100,000,000, the
19 Assistant Secretary shall reserve 93.5 percent of
20 such sums (referred to in this subsection as the
21 “total local allocation”) to make allocations under
22 this subsection to States to assist Local Boards in
23 carrying out the activities described in section 6.

24 (2) ALLOCATION OF FUNDS TO STATES.—

1 (A) IN GENERAL.—For each such fiscal
2 year, the Assistant Secretary shall allocate to
3 each State Commission the sum (referred to in
4 this subsection as the “State portion of the
5 total local allocation”) of—

6 (i) an amount that bears the same re-
7 lation to $\frac{1}{3}$ of the total local allocation as
8 the number of youth in the State bears to
9 the number of youth in all States;

10 (ii) an amount that bears the same re-
11 lation to $\frac{1}{3}$ of such allocation as the num-
12 ber of youth from low income families in
13 the State bears to the number of such
14 youth in all States; and

15 (iii) an amount from the remaining $\frac{1}{3}$
16 of such allocation, calculated in accordance
17 with a formula prescribed by the Secretary
18 that takes into account the extent to which
19 violent juvenile crime has increased in the
20 State since 1990, relative to the extent to
21 which violent juvenile crime has increased
22 in all States since 1990.

23 (B) REGULATION.—The Secretary shall
24 prescribe the formula described in subpara-

1 graph (A)(iii) by regulation issued after con-
2 sultation with the Attorney General.

3 (3) DISTRIBUTION OF FUNDS TO STATES.—To
4 be eligible to receive such State portion of the total
5 local allocation, the State Commission shall prepare,
6 and submit to the Assistant Secretary, an applica-
7 tion at such time, in such manner, and containing
8 such information, as the Assistant Secretary may
9 reasonably require. Such application shall include, at
10 a minimum, an assurance that the State Commis-
11 sion is prepared to administer such amount in com-
12 pliance with all the requirements of this Act, and, in
13 the case of any application submitted after the first
14 year in which the State Commission receives funds
15 under this Act, the State strategic plan described in
16 section 7(c)(4).

17 (4) ALLOCATION OF FUNDS TO LOCAL
18 BOARDS.—

19 (A) IN GENERAL.—For each fiscal year for
20 which a State receives such State portion of the
21 total local allocation, the State Commission
22 shall allocate to each Local Board in the State
23 the sum (referred to in this subsection as the
24 “local allocation”) of—

1 (i) an amount that bears the same re-
2 lation to $\frac{1}{3}$ of the State portion of the
3 total local allocation as the number of
4 youth in the county served by the Local
5 Board bears to the number of youth in the
6 State;

7 (ii) an amount that bears the same re-
8 lation to $\frac{1}{3}$ of such State portion as the
9 number of youth from low income families
10 in the county bears to the number of such
11 youth in the State; and

12 (iii) an amount from the remaining $\frac{1}{3}$
13 of such State portion, calculated in accord-
14 ance with a formula prescribed by the Sec-
15 retary that takes into account the extent to
16 which violent juvenile crime has increased
17 in the county since 1990, relative to the
18 extent to which violent juvenile crime has
19 increased in the State since 1990.

20 (B) REGULATION.—The Secretary shall
21 prescribe the formula described in subpara-
22 graph (A)(iii) by regulation issued after con-
23 sultation with the Attorney General.

24 (5) DISTRIBUTION OF FUNDS TO LOCAL
25 BOARDS.—

1 (A) INITIAL PLANNING FUNDS.—For the
2 first fiscal year for which Local Boards in a
3 State are eligible to receive funds under this
4 subsection, the State Commission shall make
5 available to each eligible Local Board in the
6 State, 5 percent of the local allocation of such
7 Board, to be used for initial planning purposes.
8 To be eligible to receive such amount, the Local
9 Board shall submit to the State Commission a
10 letter of intent to apply for funds under this
11 subsection. Such letter of intent shall include a
12 list of the members of the Local Board, includ-
13 ing sufficient information about their organiza-
14 tional affiliations to demonstrate compliance
15 with the requirements of subsections (c) and (d)
16 of section 6.

17 (B) DISTRIBUTION OF PROGRAM FUNDS.—

18 (i) IN GENERAL.—For each fiscal year
19 for which a State receives a State portion
20 of the total local allocation, the State Com-
21 mission shall distribute to each eligible
22 Local Board in the State an amount equal
23 to the remainder of the local allocation of
24 such Board.

1 (ii) APPLICATION.—To be eligible to
2 receive such amount, the Local Board shall
3 prepare, and submit to the State Commis-
4 sion, an application, at such time, in such
5 manner, and containing such information
6 as the State Commission may reasonably
7 require to assure compliance with this Act.
8 Such application shall include, at a mini-
9 mum, a local strategic plan described in
10 section 6(f), a description of the programs
11 for which funding will be provided, and in-
12 formation indicating the extent to which
13 the programs meet the effective practice
14 standards described in section 8(c)(3)(C).

15 (c) ALLOCATION AND DISTRIBUTION OF STATE AL-
16 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
17 TIONS EQUAL OR EXCEED \$100,000,000.—

18 (1) TOTAL STATE ALLOCATION.—For any fiscal
19 year for which the total sums appropriated under
20 subsection (a) are not less than \$100,000,000, the
21 Assistant Secretary shall reserve 4 percent of such
22 sums (referred to in this section as the “total State
23 allocation”) to make allocations to State Commis-
24 sions to carry out the activities described in section
25 7.

1 (2) GENERAL ALLOCATION.—Except as pro-
2 vided in paragraph (3), for each such year, the As-
3 sistant Secretary shall make such allocations in ac-
4 cordance with the requirements of subsection (b)(2).
5 For the purposes of the application of such require-
6 ments to allocations under this subsection, ref-
7 erences in subsection (b)(2) to the total local alloca-
8 tion shall be deemed to be references to the total
9 State allocation.

10 (3) MINIMUM STATE ALLOCATION.—For each
11 such year, the Assistant Secretary shall allocate to
12 each State Commission under this subsection an
13 amount that is not less than $\frac{1}{2}$ of 1 percent of the
14 total State allocation.

15 (d) ALLOCATION AND DISTRIBUTION OF LOCAL AL-
16 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
17 TIONS ARE LESS THAN \$100,000,000.—

18 (1) GRANTS.—For any fiscal year for which the
19 total sums appropriated under subsection (a) are
20 less than \$100,000,000, the Assistant Secretary
21 shall reserve 97.5 percent of such sums and shall
22 make grants from such reserved sums, on a competi-
23 tive basis, to eligible Local Boards to carry out the
24 activities described in section 6.

1 (2) CONSIDERATIONS.—In making such grants,
2 the Assistant Secretary shall consider the criteria
3 described in the formula provided in subsection
4 (b)(2). The Assistant Secretary shall ensure an equi-
5 table geographic distribution of such grants, and
6 shall ensure that a variety of program models receive
7 funding under this subsection.

8 (3) APPLICATION.—To be eligible to receive a
9 grant under this section, a Local Board shall submit
10 to the Assistant Secretary an application at such
11 time, in such manner, and containing such informa-
12 tion as the Assistant Secretary may require, includ-
13 ing an assurance that the Local Board will comply
14 with such evaluation process as the Assistant Sec-
15 retary may reasonably require to assure compliance
16 with this Act, and including any information that a
17 Local Board is required to submit in an application
18 described in subsection (b)(5)(B).

19 (4) ELIGIBILITY.—To be eligible to receive a
20 grant under this subsection, a Local Board shall
21 meet such requirements as the Assistant Secretary
22 may by regulation require.

23 (5) INITIAL DISTRIBUTION.—The Assistant
24 Secretary may award an initial grant to a Local
25 Board under this subsection for a period of up to 3

1 years. The Assistant Secretary may terminate the
2 funding made available through such grant during
3 such period if the Local Board fails to comply with
4 the provisions of this Act.

5 (6) RENEWAL OF GRANTS.—After the initial
6 grant period, in determining whether to renew or
7 continue a grant to a Local Board to carry out ac-
8 tivities, the Assistant Secretary shall give substantial
9 weight to the effectiveness of the activities in achiev-
10 ing the process and outcome objectives specified in
11 the local strategic plan described in section 6(f)(1).
12 If the total sums appropriated under subsection (a)
13 are greater than \$100,000,000 for the fiscal year for
14 which the Local Board seeks a renewal or continu-
15 ation, the Local Board shall apply to the State Com-
16 mission for funding under subsection (b).

17 (7) TREATMENT OF GRANTS.—For purposes of
18 this Act, a grant awarded to a Local Board under
19 this section shall be considered to be a local alloca-
20 tion.

21 (8) APPLICATION OF PROVISIONS.—The provi-
22 sions of section 6 shall apply to Local Boards receiv-
23 ing funds under this subsection. For purposes of the
24 application of such provisions, references to the

1 State Commission shall be deemed to be references
2 to the Assistant Secretary.

3 (e) NATIVE AMERICAN ORGANIZATIONS.—

4 (1) IN GENERAL.—From the sums appropriated
5 under subsection (a) for any fiscal year, the Assist-
6 ant Secretary shall reserve 1.5 percent of such sums
7 to make grants to eligible Native American organiza-
8 tions to assist the organizations in carrying out the
9 activities described in section 6.

10 (2) APPLICATION.—To be eligible to receive a
11 grant under paragraph (1), a Native American orga-
12 nization shall submit an application to the Assistant
13 Secretary at such time, in such manner, and con-
14 taining such information as the Assistant Secretary
15 may reasonably require to assure compliance with
16 this Act, including any information that a Local
17 Board is required to submit in an application de-
18 scribed in subsection (b)(5)(B).

19 (3) APPLICATION OF PROVISIONS.—The provi-
20 sions of section 6 shall apply to Native American or-
21 ganizations receiving funds through grants made
22 under this subsection. For purposes of the applica-
23 tion of such provisions, references to a county shall
24 be deemed to be references to the area served by the
25 organization, and references to the State Commis-

1 sion shall be deemed to be references to the Assist-
2 ant Secretary.

3 (4) DEFINITION.—As used in this subsection:

4 (A) INDIAN TRIBE.—The term “Indian
5 tribe” has the meaning given the term in sec-
6 tion 4(e) of the Indian Self-Determination and
7 Education Assistance Act (25 U.S.C. 250b(e)).

8 (B) NATIVE AMERICAN ORGANIZATION.—
9 The term “Native American organization”
10 means an Indian tribe or Native Hawaiian
11 Organization.

12 (C) NATIVE HAWAIIAN ORGANIZATION.—
13 The term “Native Hawaiian Organization” has
14 the meaning given the term in section 4009(4)
15 of the Augustus F. Hawkins-Robert T. Stafford
16 Elementary and Secondary School Improvement
17 Amendments of 1988 (20 U.S.C. 4909(4)).

18 (f) RESERVATION OF FUNDS FOR ADMINISTRATION
19 FOR CHILDREN AND FAMILIES.—From the sums appro-
20 priated under subsection (a) for each fiscal year, the As-
21 sistant Secretary shall reserve 1 percent of such sums for
22 the National Commission and the Administration for Chil-
23 dren and Families to carry out the activities required by
24 this Act.

1 (g) AUTHORITY TO ASSIST LOCAL BOARDS IN
2 NONPARTICIPATING STATES/REALLOCATION OF STATE
3 FUNDS.—

4 (1) IN GENERAL.—For any fiscal year for
5 which a State Commission does not submit an appli-
6 cation for an allocation under subsection (b), the As-
7 sistant Secretary may use the allocation of such
8 State to make direct grants to eligible Local Boards
9 in the nonparticipating State.

10 (2) APPLICATION.—To be eligible to receive a
11 direct grant under paragraph (1), a Local Board
12 shall submit an application to the Assistant Sec-
13 retary at such time, in such manner, and containing
14 such information as the Assistant Secretary may
15 reasonably require to assure compliance with this
16 Act, including any information that a Local Board
17 is required to submit in an application described in
18 subsection (b)(5)(B).

19 (3) APPLICATION OF PROVISIONS.—The provi-
20 sions of section 6 shall apply to Local Boards receiv-
21 ing funds through grants made under this sub-
22 section. For purposes of the application of such pro-
23 visions, references to the State Commission shall be
24 deemed to be references to the Assistant Secretary.

1 (h) STATE REALLOCATION.—For any fiscal year for
2 which a State Commission does not submit an application
3 for an allocation under subsection (b), and the Assistant
4 Secretary does not use the allocation as described in sub-
5 section (g), the Assistant Secretary shall make available
6 the allocation of such State to such other States as the
7 Assistant Secretary may determine to be appropriate.

8 (i) COUNTY REALLOCATION.—For any fiscal year for
9 which a Local Board in a State does not submit an appli-
10 cation for an allocation under subsection (b), the State
11 Commission shall make available the allocation of such
12 county to such other counties in the State as the State
13 Commission may determine to be appropriate.

14 (j) OBLIGATION AND EXPENDITURE OF FUNDS.—

15 (1) STATE OBLIGATION OF FUNDS.—Any State
16 Commission that receives an allocation from the As-
17 sistant Secretary under subsection (b) or (c) shall
18 obligate the allocation not later than 1 year after the
19 date of such receipt or return the allocation to the
20 Assistant Secretary for reallocation in accordance
21 with subsection (h).

22 (2) LOCAL BOARD EXPENDITURE OF FUNDS.—
23 Any Local Board that receives an allocation from a
24 State Commission under subsection (b) or (d) shall
25 expend the allocation not later than 3 years after the

1 date of such receipt or return the allocation to the
2 State Commission for reallocation in accordance
3 with subsection (i).

4 **SEC. 6. LOCAL YOUTH DEVELOPMENT BOARD.**

5 (a) ESTABLISHMENT OF LOCAL BOARD.—

6 (1) IN GENERAL.—In order for entities within
7 a county to be eligible to receive assistance under
8 this Act, the Chief Elected Officer of a county shall
9 facilitate the establishment of a local entity, or des-
10 ignate an existing local entity, that meets the re-
11 quirements of this section, to serve as a Local Youth
12 Development Board.

13 (2) ESTABLISHMENT OF MULTICOUNTY LOCAL
14 BOARD.—The Chief Executive Officers of 2 or more
15 counties may agree to facilitate the establishment of
16 a local entity, or designate an existing entity, that
17 meets the requirements of this section, to serve as
18 a multicounty Local Board. Such a multicounty
19 Local Board shall carry out the duties described in
20 subsections (f), (g), (i), and (j) with respect to the
21 counties involved. If such a multicounty Local Board
22 is established, all duties required by this section to
23 be carried out by the Chief Executive Officer of a
24 county shall be carried out jointly by the Chief Exec-
25 utive Officers of each participating county.

1 (b) NUMBER OF MEMBERS ON THE LOCAL BOARD.—
2 The Chief Executive Officer of the county shall determine
3 the total number of members on the Local Board.

4 (c) COMPOSITION OF LOCAL BOARD.—

5 (1) REPRESENTATIVES OF YOUTH DEVELOP-
6 MENT ORGANIZATIONS.—

7 (A) REPRESENTATIVES OF NATIONALLY
8 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
9 TIONS.—One-third of the members of the Local
10 Board shall be representatives of community-
11 based youth development organizations that are
12 affiliated with national youth development orga-
13 nizations.

14 (B) REPRESENTATIVES OF NONAFFILI-
15 ATED YOUTH DEVELOPMENT ORGANIZA-
16 TIONS.—One-third of the members of the Local
17 Board shall be representatives of community-
18 based youth development organizations that are
19 not affiliated with national youth development
20 organizations.

21 (C) SPECIAL RULE FOR LESS POPULATED
22 COUNTIES.—In the case of a county with a pop-
23 ulation of 100,000 or less, if the Chief Execu-
24 tive Officer of the county determines that, be-
25 cause of the absence of community-based youth

1 development organizations, the county cannot
2 establish a Local Board meeting the require-
3 ments of subparagraph (A) or (B), representa-
4 tives of community-based youth-serving organi-
5 zations may be selected to serve on the Local
6 Board, and may participate on the Local
7 Board, on the same basis as representatives of
8 community-based youth development organiza-
9 tions.

10 (2) OTHER COMMUNITY REPRESENTATIVES.—

11 One-third of the members of the Local Board shall
12 be representatives of the community, such as rep-
13 resentatives of youth-serving organizations, local
14 government, religious organizations, educational in-
15 stitutions, business, labor, private funding organiza-
16 tions, parents, or youth.

17 (d) SELECTION OF LOCAL BOARD MEMBERS.—

18 (1) REPRESENTATIVES OF YOUTH DEVELOP-
19 MENT ORGANIZATIONS.—Organizations described in
20 subsection (c)(1)(A) that provide services within the
21 county shall select the members described in such
22 subsection. Organizations described in subsection
23 (c)(1)(B) that provide services within the county
24 shall select the members described in such sub-
25 section. The Local Board shall include, in the appli-

1 cation described in section 5(b)(5), a description of
2 the processes used by both such types of organiza-
3 tions to select members of the Local Board.

4 (2) OTHER COMMUNITY REPRESENTATIVES.—
5 Members described in subsection (c)(2) shall be ap-
6 pointed by the Chief Executive Officer of the county.
7 If any political subdivision of a State is located to-
8 tally or partially within the county, and the popu-
9 lation of the subdivision is more than 40 percent of
10 the total population of the county, the Chief Execu-
11 tive Officer of the subdivision and the Chief Execu-
12 tive Officer shall jointly appoint such members.

13 (3) AGE OF MEMBERS.—At least 2 of the mem-
14 bers of the Local Board shall be under the age of
15 20 at the time of such appointment.

16 (4) BACKGROUND OF MEMBERS.—The member-
17 ship of the Board shall reflect the racial, ethnic, and
18 gender composition of the county population.

19 (5) TERMS; OFFICERS; VACANCIES.—The Local
20 Board shall adopt, and shall include in the applica-
21 tion described in section 5(b)(5), bylaws that include
22 provisions regarding the terms of office of members,
23 the election of officers, and the selection of members
24 to fill vacancies, of the Local Board.

25 (e) FISCAL AGENT.—

1 (1) APPOINTMENT OF FISCAL AGENT.—The
2 Local Board shall appoint a fiscal agent for the
3 Board.

4 (2) DUTIES.—The fiscal agent shall carry out
5 such duties as the Local Board may determine to be
6 appropriate.

7 (f) DUTIES OF LOCAL BOARD.—

8 (1) LOCAL STRATEGIC PLAN.—The Local
9 Board shall prepare and submit to the State Com-
10 mission for approval, as part of the application de-
11 scribed in section 5(b)(5), a local strategic plan for
12 youth development in the county involved, includ-
13 ing—

14 (A) the results of an assessment of local
15 needs and resources;

16 (B) specific process and outcome objectives
17 for youth development programs; and

18 (C) measures of program effectiveness that
19 shall be used to evaluate the progress of grant
20 recipients in achieving such objectives.

21 (2) MONITORING, EVALUATION, AND TECH-
22 NICAL ASSISTANCE.—The Local Board shall be re-
23 sponsible for establishing monitoring and evaluation
24 procedures, consistent with such requirements as
25 may be established by the Assistant Secretary, to as-

1 sess the progress of grant recipients in achieving the
 2 process and outcome objectives identified in the local
 3 strategic plan. Such procedures shall utilize the
 4 measures of program effectiveness described in para-
 5 graph (1)(C) and the standards for effective prac-
 6 tices described in section 8(c)(3)(C). Local Boards
 7 shall also provide technical assistance to applicants
 8 and grant recipients under subsection (g).

9 (3) APPEAL.—In the event that a State Com-
 10 mission denies approval of the strategic plan of the
 11 Local Board described in paragraph (1), the Local
 12 Board may, in accordance with regulations to be es-
 13 tablished by the Assistant Secretary, appeal the
 14 denial.

15 (g) GRANTS.—

16 (1) IN GENERAL.—The Local Board shall
 17 award grants in accordance with this subsection
 18 to—

19 (A) eligible community-based youth devel-
 20 opment organizations; and

21 (B) eligible partnerships that—

22 (i) are comprised of youth-serving or-
 23 ganizations and governmental entities; and

24 (ii) conduct youth development pro-
 25 grams,

1 to pay for the Federal share of carrying out
2 youth development programs addressing one or
3 more of the process objectives, and one or more
4 of the outcome objectives, established in the
5 local strategic plan described in subsection
6 (f)(1).

7 (2) REQUEST FOR PROPOSALS.—The Local
8 Board shall issue a request for proposals, which
9 shall invite the organizations and partnerships de-
10 scribed in paragraph (1) to apply for a grant under
11 paragraph (1). Such request shall specify the process
12 and outcome objectives to be addressed by the Local
13 Board.

14 (3) ELIGIBLE APPLICANTS.—

15 (A) AWARD OF GRANTS.—In awarding
16 grants under paragraph (1), the Local Board
17 shall—

18 (i) award at least 85 percent of the
19 funds made available through such grants
20 to community-based youth development or-
21 ganizations certified under subparagraph
22 (B); and

23 (ii) take into account the extent to
24 which the program meets the effective

1 practice standards described in section
2 8(c)(3)(C).

3 (B) CERTIFICATION.—

4 (i) PROCEDURE.—The Local Board
5 shall establish a procedure, in accordance
6 with regulations to be issued by the Assist-
7 ant Secretary, for certifying organizations
8 as community-based youth development or-
9 ganizations.

10 (ii) APPEAL.—The Assistant Sec-
11 retary shall issue regulations that specify a
12 process by which an organization may ap-
13 peal a denial of such certification.

14 (4) GRANT APPLICATIONS.—To be eligible to
15 receive a grant under this subsection, an organiza-
16 tion or partnership described in paragraph (1) shall
17 submit an application to the Local Board at such
18 time, in such manner, and containing such informa-
19 tion as the Local Board reasonably may require, in-
20 cluding, at a minimum, the following information:

21 (A) In the case of an organization, a state-
22 ment regarding whether the organization is a
23 community-based youth development organiza-
24 tion, and, if the organization seeks certification

1 as such an organization, sufficient information
2 to substantiate the statement.

3 (B) The manner in which the program will
4 address the process and outcome objectives
5 identified in the local strategic plan described in
6 subsection (f)(1).

7 (C) The extent to which the program uti-
8 lizes the effective practice standards established
9 under section 8(c)(3)(C).

10 (D) A proposed budget for the program.

11 (5) FUNDING PERIOD.—The Local Board may
12 award a grant to an organization or partnership
13 under paragraph (1) for a period of up to 3 years.
14 The Local Board may terminate the funding made
15 available through such grant during such period if
16 the program fails to comply with the requirements of
17 this Act, or if insufficient Federal funds are appro-
18 priated under section 5(a) to permit the continu-
19 ation of funding for the full grant period of all such
20 grants awarded by the Local Board.

21 (6) RENEWALS OF GRANTS.—The Local Board
22 may renew grants made under paragraph (1). After
23 the initial grant period, in determining whether to
24 renew a grant to a Local Board to carry out activi-
25 ties, the Local Board shall give substantial weight to

1 the effectiveness of the activities in achieving process
2 and outcome objectives specified in a local strategic
3 plan described in subsection (f)(1).

4 (7) FEDERAL SHARE REQUIREMENT.—

5 (A) FEDERAL SHARE.—The Federal share
6 of the cost of carrying out a youth development
7 program described in paragraph (1) shall be—

8 (i) 80 percent for the first year for
9 which the program receives funding under
10 this subsection;

11 (ii) 65 percent for the second such
12 year;

13 (iii) 50 percent for the third such
14 year; and

15 (iv) 30 percent for the fourth such
16 year and any subsequent year.

17 (B) NON-FEDERAL SHARE.—In providing
18 for the remaining share of the cost of carrying
19 out such a program, each recipient of assistance
20 under this subsection—

21 (i) shall provide for such share
22 through private sources;

23 (ii) may provide for such share
24 through a payment in cash; and

1 (iii) may provide for not more than 25
2 percent of such share through a payment
3 in kind, fairly evaluated, including facili-
4 ties, equipment, or services.

5 (h) ANNUAL REPORTS TO LOCAL BOARD.—Each or-
6 ganization or partnership receiving a grant under sub-
7 section (g) to carry out a program shall, not later than
8 45 days after the end of each fiscal year of the Local
9 Board, prepare and submit to the Local Board an annual
10 report on the program during the fiscal year, in such man-
11 ner and containing such information as the Assistant Sec-
12 retary may reasonably require to determine compliance
13 with this Act.

14 (i) ANNUAL REPORT TO STATE COMMISSION.—Each
15 Local Board shall, not later than 75 days after the end
16 of each fiscal year of the Local Board, prepare and submit
17 to the State Commission an annual report in such manner
18 and containing such information as the Assistant Sec-
19 retary may reasonably require to determine compliance
20 with this Act. Such report shall contain, at a minimum,
21 information on the programs and activities funded by the
22 Local Board during the fiscal year under this section and
23 the extent to which the programs achieved the process and
24 outcome objectives specified in the local strategic plan
25 under subsection (f).

1 (j) PLANNING, ADMINISTRATION, COORDINATION,
2 EVALUATION, AND FISCAL AGENT EXPENSES.—In addi-
3 tion to any initial planning funds provided under section
4 5(b)(5)(A), the Local Board may use up to 5 percent of
5 the funds received under section 5(b)(5)(B) for planning,
6 administration, coordination, and evaluation expenses, and
7 expenses of the fiscal agent of the Local Board. Each or-
8 ganization or partnership that receives a grant under sub-
9 section (g) may use up to 10 percent of the funds received
10 under the grant for planning, administration, and coordi-
11 nation, and may use up to an additional 5 percent of such
12 funds for evaluation expenses.

13 **SEC. 7. STATE YOUTH DEVELOPMENT COMMISSION.**

14 (a) ESTABLISHMENT OF COMMISSION.—In order for
15 entities within a State to be eligible to receive assistance
16 under this Act, the Governor of the State shall establish
17 an entity, or designate an existing entity, that meets the
18 requirements of this section, to serve as a State Youth
19 Development Commission.

20 (b) SIZE, COMPOSITION, AND APPOINTMENT OF
21 COMMISSION.—

22 (1) NUMBER OF MEMBERS.—The Governor of
23 the State shall determine the total number of mem-
24 bers on the Commission.

1 (2) APPOINTMENT BY THE GOVERNOR.—The
2 members of the Commission shall be appointed by
3 the Governor.

4 (3) COMPOSITION OF COMMISSION.—

5 (A) REPRESENTATIVES OF NATIONALLY
6 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
7 TIONS.—One-third of the members of the State
8 Commission shall be representatives described
9 in section 6(c)(1)(A).

10 (B) REPRESENTATIVES OF
11 NONAFFILIATED YOUTH DEVELOPMENT ORGA-
12 NIZATIONS.—One-third of the members of the
13 State Commission shall be representatives de-
14 scribed in section 6(c)(1)(B).

15 (C) OTHER MEMBERS.—One-third of the
16 members of the State Commission shall be rep-
17 resentatives of State governments or represent-
18 atives described in section 6(c)(2).

19 (D) AGE OF MEMBERS.—At least 2 of the
20 members appointed to the Commission shall be
21 under the age of 20 at the time of such ap-
22 pointment.

23 (E) BACKGROUND OF MEMBERS.—The
24 Governor shall ensure that the membership of
25 the State Commission fairly represents urban

1 and rural populations and reflects the racial,
2 ethnic, and gender composition of the State
3 population.

4 (F) LOCAL BOARD REPRESENTATION.—At
5 least 2 of the members appointed to the Com-
6 mission shall be members of different Local
7 Boards in the State at the time of their
8 appointment.

9 (4) TERMS; OFFICERS; VACANCIES.—The State
10 Commission shall adopt, and shall include in the ap-
11 plication described in section 5(b)(3), bylaws that in-
12 clude provisions regarding the terms of office of
13 members, the election of officers, and the selection
14 of members to fill vacancies, of the State Commis-
15 sion.

16 (c) DUTIES OF STATE COMMISSION.—

17 (1) REVIEW OF COMMUNITY YOUTH DEVELOP-
18 MENT PLANS.—In accordance with regulations is-
19 sued by the Assistant Secretary, within 30 days of
20 the submission by a Local Board of an application
21 under section 5(b)(5), the State Commission shall ei-
22 ther approve the application and distribute to the
23 Local Board its local allocation under section 5, or
24 notify the Local Board of the additional steps that

1 the Local Board shall take to bring the plan into
2 compliance with this Act.

3 (2) MONITORING OPERATIONS OF LOCAL
4 BOARDS.—The Commission shall have primary re-
5 sponsibility for ensuring that the Local Boards oper-
6 ate in compliance with this Act.

7 (3) TECHNICAL ASSISTANCE TO LOCAL
8 BOARDS.—The State Commission shall provide tech-
9 nical assistance related to the development and im-
10 plementation of local strategic plans described in
11 section 6(f) to Local Boards that are applicants for,
12 or recipients of, local allocations under section 5(b).

13 (4) GOALS AND STRATEGIC PLAN FOR YOUTH
14 DEVELOPMENT.—

15 (A) STATE POLICY GOALS.—After a review
16 of local strategic plans submitted by Local
17 Boards within the State under section 6(f), the
18 State Commission and the Governor shall de-
19 velop policy goals for the State, based on the
20 process and outcome objectives in such strategic
21 plans.

22 (B) STATE STRATEGIC PLAN.—Based on
23 the State policy goals, the Commission and the
24 Governor shall develop a State strategic plan
25 for youth development, including specific State

1 process and outcome objectives, designed to
2 achieve the State policy goals.

3 (5) ANNUAL REPORT.—Each State Commission
4 shall, not later than 120 days after the end of each
5 fiscal year of the State Commission, prepare and
6 submit to the Assistant Secretary and the National
7 Commission an annual report, in such manner and
8 containing such information as the Assistant Sec-
9 retary may reasonably require to determine compli-
10 ance with this Act. Such report shall contain, at a
11 minimum, information on the programs and activi-
12 ties funded in the State during the fiscal year under
13 this Act, and the extent to which the Local Boards
14 in the State achieved the process and outcome objec-
15 tives specified in the local strategic plan described in
16 section 6(f)(1).

17 (d) RELATIONSHIP TO INDEPENDENT STATE BODY
18 ESTABLISHED UNDER THE CLAUDE PEPPER YOUNG
19 AMERICANS ACT OF 1990.—To provide improved coordi-
20 nation of public and private services for youth and their
21 families, the State Commission shall—

22 (1) consult with the Independent State Body
23 established under section 930 of the Claude Pepper
24 Young Americans Act of 1990 (42 U.S.C. 12336) in

1 the development of the State strategic plan under
2 subsection (c)(4);

3 (2) consult with the Independent State Body in
4 developing and implementing strategies for improved
5 coordination between activities funded under this
6 Act and other public and private services for youth
7 and their families; and

8 (3) submit a copy of the annual report required
9 under subsection (c)(5) to the Independent State
10 Body, concurrently with the submission of the report
11 to the Assistant Secretary and the National Com-
12 mission.

13 (e) COORDINATION WITH INDEPENDENT STATE
14 BODY ESTABLISHED UNDER THE CLAUDE PEPPER
15 YOUNG AMERICANS ACT OF 1990.—In addition to the an-
16 nual report required under subsection (c)(5), the State
17 Commission shall provide information obtained from the
18 annual reports submitted by the Local Boards under sec-
19 tion 6(i) to the Independent State Body under subsection
20 (d)(3), including a detailed accounting of the number of
21 participants in programs in the State that are funded
22 under this Act, specified by age, gender, economic back-
23 ground, race, ethnicity, and disability.

1 **SEC. 8. NATIONAL YOUTH DEVELOPMENT COMMISSION.**

2 (a) ESTABLISHMENT OF NATIONAL YOUTH DEVEL-
3 OPMENT COMMISSION.—There is established a National
4 Youth Development Commission that shall advise the As-
5 sistant Secretary on the implementation of this Act.

6 (b) ESTABLISHMENT, SIZE, COMPOSITION, AND AP-
7 POINTMENT OF NATIONAL COMMISSION.—

8 (1) ESTABLISHMENT; NUMBER OF MEMBERS.—

9 The National Youth Development Commission shall
10 be composed of 21 voting members, and such ex
11 officio nonvoting members as the President may de-
12 termine to be appropriate.

13 (2) APPOINTMENT OF NATIONAL COMMIS-
14 SION.—

15 (A) IN GENERAL.—The voting members of
16 the National Commission shall be appointed by
17 the President, by and with the advice and con-
18 sent of the Senate.

19 (B) NOMINATIONS FROM HOUSE OF REP-
20 RESENTATIVES.—Seven voting members of the
21 National Commission shall be appointed from
22 among individuals nominated by the Speaker
23 and Minority Leader of the House of Rep-
24 resentatives.

25 (C) NOMINATIONS FROM SENATE.—Seven
26 voting members of the National Commission

1 shall be appointed from among individuals nom-
2 inated by the Majority Leader and Minority
3 Leader of the Senate.

4 (D) TIMING.—The President shall appoint
5 the initial voting members of the Commission
6 within 90 days after the date of enactment of
7 this Act.

8 (3) COMPOSITION OF NATIONAL COMMISSION.—

9 (A) REPRESENTATIVES OF NATIONALLY
10 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
11 TIONS.—Seven of the voting members of the
12 National Commission shall be representatives of
13 national youth development organizations, or of
14 the affiliates of such organizations.

15 (B) REPRESENTATIVES OF NONAFFILI-
16 ATED YOUTH DEVELOPMENT ORGANIZA-
17 TIONS.—Seven of the voting members of the
18 National Commission shall be representatives
19 described in section 6(c)(1)(B).

20 (C) OTHER MEMBERS.—Seven of the vot-
21 ing members of the National Commission shall
22 be appointed from among representatives de-
23 scribed in section 7(b)(3)(C).

24 (D) AGE OF MEMBERS.—At least 2 of the
25 voting members appointed to the National Com-

1 mission shall be under the age of 20 at the time
2 of such appointment.

3 (E) BACKGROUND OF MEMBERS.—The
4 President shall ensure that the voting member-
5 ship of the National Commission fairly rep-
6 resents urban and rural populations and re-
7 flects the racial, ethnic, and gender composition
8 of the population of the United States.

9 (4) TERM OF OFFICE.—

10 (A) IN GENERAL.—Each voting member of
11 the Commission shall serve for a term of 3
12 years, except that one-third of the members
13 first appointed to the Commission after the
14 date of enactment of this section shall serve for
15 a term of 1 year, and one-third of such mem-
16 bers shall serve for a term of 2 years, as des-
17 ignated by the President. The members des-
18 ignated to serve a term of 1 year, and the mem-
19 bers designated to serve a term of 2 years, shall
20 include a fair distribution of members from the
21 3 categories of members described in subpara-
22 graphs (A), (B), and (C) of paragraph (3), and
23 a fair distribution of members appointed as pro-
24 vided in paragraph (2)(B), of members ap-

1 pointed as provided in paragraph (2)(C), and of
2 other members.

3 (B) REAPPOINTMENT.—Members of the
4 National Commission may not serve more than
5 2 consecutive terms.

6 (5) VACANCIES.—Any vacancy on the National
7 Commission shall be filled in the same manner as
8 the original appointment. In filling such a vacancy,
9 the President shall ensure that the National Com-
10 mission meets the requirements of paragraph (3).
11 Any member appointed to fill such a vacancy shall
12 serve for the remainder of the term for which the
13 predecessor of the member was appointed or elected.

14 (6) CHAIRPERSON AND VICE CHAIRPERSON.—
15 The National Commission shall elect a Chairperson
16 and Vice Chairperson from among its members.

17 (7) OTHER OFFICERS.—The Commission may
18 elect from among its membership such additional of-
19 ficers for the Commission as the Commission deter-
20 mines to be appropriate.

21 (8) MEETINGS.—The Commission shall meet
22 not less often than 2 times each year. The Commis-
23 sion shall hold additional meetings if 15 members of
24 the Commission request such meetings in writing. A

1 majority of the appointed members of the Commis-
2 sion shall constitute a quorum.

3 (9) EXPENSES.—While away from their homes
4 or regular places of business on the business of the
5 Commission, members of such Commission may be
6 allowed travel expenses, including per diem in lieu of
7 subsistence, at rates authorized for employees of
8 agencies under subchapter I of chapter 57 of title 5,
9 United States Code, for persons employed intermit-
10 tently in the Government service.

11 (10) SPECIAL GOVERNMENT EMPLOYEES.—For
12 purposes of the provisions of chapter 11 of part I of
13 title 18, United States Code, and any other provision
14 of Federal law, a member of the Commission (to
15 whom such provisions would not otherwise apply ex-
16 cept for this subsection) shall be a special Govern-
17 ment employee.

18 (11) STATUS OF MEMBERS.—

19 (A) TORT CLAIMS.—For the purposes of
20 the tort claims provisions of chapter 171 of title
21 28, United States Code, a member of the Com-
22 mission shall be considered to be a Federal
23 employee.

24 (B) OTHER CLAIMS.—A member of the
25 Commission has no personal liability under

1 Federal law with respect to any claim arising
2 out of or resulting from any act or omission by
3 such person, within the scope of the service of
4 the member on the Commission, in connection
5 with any transaction involving the provision of
6 financial assistance by the Commission or the
7 Administration for Children and Families. This
8 paragraph shall not be construed to limit per-
9 sonal liability for criminal acts or omissions,
10 willful or malicious misconduct, acts or omis-
11 sions for private gain, or any other act or omis-
12 sion outside the scope of the service of such
13 member on the Commission.

14 (C) EFFECT ON OTHER LAW.—This sub-
15 section shall not be construed—

16 (i) to affect any other immunities and
17 protections that may be available to such
18 member under applicable law with respect
19 to such transactions; or

20 (ii) to affect any other right or rem-
21 edy against the United States under appli-
22 cable law, or against any person.

23 (12) ADMINISTRATION.—The Federal Advisory
24 Committee Act (5 U.S.C. App.) shall not apply with
25 respect to the National Commission.

1 (c) DUTIES OF NATIONAL COMMISSION AND ASSIST-
2 ANT SECRETARY.—

3 (1) DUTIES OF NATIONAL COMMISSION.—The
4 National Commission shall—

5 (A) review and approve the proposal de-
6 scribed in paragraph (2)(A)(i), regarding the
7 goals and strategic plan referred to in such
8 paragraph;

9 (B) review and approve the proposal de-
10 scribed in paragraph (2)(B)(i), regarding the
11 grants, contracts, allocations, reallocations, and
12 payments described in paragraph (2)(B);

13 (C) review and approve the proposal de-
14 scribed in paragraph (2)(C)(i), regarding the
15 regulations, standards, policies, and procedures,
16 described in such paragraph;

17 (D) review and approve the proposed plan
18 for evaluation and monitoring referred to in
19 paragraph (2)(D)(i);

20 (E) review and approve the proposed re-
21 port referred to in paragraph (2)(E)(i);

22 (F) review, and advise the Assistant Sec-
23 retary regarding, such standards, policies, pro-
24 cedures, programs, and initiatives as are nec-
25 essary or appropriate to carry out this Act;

1 (G) inform the Assistant Secretary of any
2 aspects of the actions of the Assistant Secretary
3 that are not in compliance with the goals and
4 strategic plan approved under subparagraph
5 (A), the proposals approved under subpara-
6 graphs (B) and (C), the plan approved under
7 subparagraph (D), and the report approved
8 under subparagraph (E);

9 (H) advise the President and the Congress
10 concerning developments relating to youth de-
11 velopment that merit the attention of the Presi-
12 dent and the Congress;

13 (I) ensure the effective dissemination of in-
14 formation and facilitation of the transfer of
15 technology on youth development issues, includ-
16 ing program information, sources of funding,
17 and methods of evaluation;

18 (J) provide (directly or by contract) train-
19 ing and technical assistance to State Commis-
20 sions and Local Boards; and

21 (K) carry out any other activities deter-
22 mined to be appropriate by the Assistant Sec-
23 retary.

24 (2) GENERAL DUTIES OF ASSISTANT SEC-
25 RETARY.—The Assistant Secretary shall—

1 (A)(i) prepare and submit to the National
2 Commission a proposal regarding the goals and
3 strategic plan described in paragraph (3)(A);
4 and

5 (ii) after receiving and reviewing approved
6 goals and an approved strategic plan under
7 paragraph (1)(A), issue the goals and strategic
8 plan described in paragraph (3)(A);

9 (B)(i) prepare and submit to the National
10 Commission a proposal regarding such grants,
11 contracts, allocations, and reallocations, as are
12 necessary or appropriate to carry out this Act;
13 and

14 (ii) after receiving and reviewing an ap-
15 proved proposal under paragraph (1)(B), make
16 such grants, contracts, allocations, and
17 reallocations, and make such payments (in lump
18 sum or installments, and in advance or by way
19 of reimbursement, and in the case of financial
20 assistance otherwise authorized under this Act,
21 with necessary adjustments on account of over-
22 payments and underpayments);

23 (C)(i) prepare and submit to the National
24 Commission a proposal regarding the regula-
25 tions described in paragraph (3)(B), and such

1 other standards, policies, and procedures, as are
2 necessary or appropriate to carry out this Act;
3 and

4 (ii) after receiving and reviewing an ap-
5 proved proposal under paragraph (1)(C)—

6 (I) establish such regulations, stand-
7 ards, policies, and procedures as are nec-
8 essary or appropriate to carry out this Act;
9 and

10 (II) establish and administer such
11 programs and initiatives as are necessary
12 or appropriate to carry out this Act;

13 (D)(i) prepare and submit to the National
14 Commission a proposed plan for the evaluation
15 and monitoring of activities under this Act, in
16 accordance with paragraph (3)(D); and

17 (ii) after receiving an approved plan under
18 paragraph (1)(D) establish the system de-
19 scribed in paragraph (3)(D);

20 (E)(i) prepare and submit to the National
21 Commission a proposed report described in
22 paragraph (3)(F); and

23 (ii) after receiving an approved report
24 under paragraph (1)(E), submit the report de-
25 scribed in paragraph (3)(F);

1 (F) prepare and submit to the National
2 Commission an annual report, and such interim
3 reports as may be necessary, describing the
4 major actions of the Assistant Secretary with
5 respect to the personnel that carry out this Act,
6 and with respect to the standards, policies, pro-
7 cedures, programs, and initiatives implemented
8 to carry out this Act;

9 (G) inform the National Commission of,
10 and provide an explanation to the National
11 Commission regarding, any substantial dif-
12 ferences regarding the implementation of this
13 Act between—

14 (i) the actions of the Assistant Sec-
15 retary; and

16 (ii)(I) the goals and strategic plan ap-
17 proved by the National Commission under
18 paragraph (1)(A);

19 (II) the proposals approved by the
20 National Commission under subparagraph
21 (B) or (C) of paragraph (1);

22 (III) the evaluation and monitoring
23 plan approved by the National Commission
24 under paragraph (1)(D); or

1 (IV) the report approved by the Na-
2 tional Commission under paragraph
3 (1)(E); and

4 (H) consult with appropriate Federal agen-
5 cies in administering the programs and initia-
6 tives carried out under this Act.

7 (3) SPECIFIC DUTIES OF THE ASSISTANT SEC-
8 RETARY.—

9 (A) NATIONAL POLICY GOALS AND STRA-
10 TEGIC PLAN.—

11 (i) NATIONAL POLICY GOALS.—After
12 a review of State strategic plans developed
13 under section 7(c)(4), and input from
14 Local Boards, the Assistant Secretary shall
15 develop and issue national policy goals that
16 are based on the process and outcome ob-
17 jectives specified in such plans.

18 (ii) NATIONAL STRATEGIC PLAN FOR
19 YOUTH DEVELOPMENT.—Based on the na-
20 tional policy goals, the Assistant Secretary
21 shall develop a national strategic plan for
22 youth development, including specific proc-
23 ess and outcome objectives, designed to
24 achieve the national policy goals.

1 (B) REGULATIONS.—The Assistant Sec-
2 retary shall issue all regulations necessary for
3 the administration of this Act, including—

4 (i) regulations (regarding funding for-
5 mulas) described in paragraphs (2) and (4)
6 of section 5(b);

7 (ii) regulations (regarding appeals of
8 denials of local strategic plans) under sec-
9 tion 6(f)(3);

10 (iii) regulations (regarding certifi-
11 cation, and appeals of denials of certifi-
12 cation, of organizations as community-
13 based youth development organizations)
14 under section 6(g)(3);

15 (iv) regulations (regarding review of
16 the applications of Local Boards by State
17 Commissions) under section 7(c)(1);

18 (v) effective practice standards de-
19 scribed in subparagraph (C);

20 (vi) regulations that specify a process
21 for certifying that an organization qualifies
22 as a national youth development organiza-
23 tion; and

24 (vii) interim final regulations govern-
25 ing the first fiscal year of operation under

1 this Act, which shall be issued within 120
2 days after the appointment of the National
3 Commission.

4 (C) EFFECTIVE PRACTICE STANDARDS.—
5 The Assistant Secretary shall develop and issue
6 standards that specify effective practices for
7 conducting community-based youth development
8 programs, and such specified practices shall in-
9 clude—

10 (i) addressing one or more of the
11 process objectives, and one or more of the
12 outcome objectives, identified in the local
13 strategic plan described in section 6(f)(1);

14 (ii) incorporating components that
15 promote the competencies described in sec-
16 tion 4(15)(A) in youth;

17 (iii) recognizing the primary role of
18 the family in positive youth development
19 and seeking to strengthen families;

20 (iv) promoting the involvement of
21 youth, parents, and other community mem-
22 bers in the planning and implementation of
23 the program;

24 (v) coordinating services with other
25 youth and family services in the commu-

1 nity, and helping participants access the
2 services;

3 (vi) exposing youth to a variety of
4 adult role models and mentors;

5 (vii) encouraging youth leadership and
6 civic involvement;

7 (viii) seeking to establish a long-term
8 relationship with participating youth;

9 (ix) employing strong outreach efforts
10 to low-income youth and their families;

11 (x) providing age-appropriate pro-
12 grams;

13 (xi) providing programs that—

14 (I) are open to all youth regard-
15 less of such factors as race, color, reli-
16 gion, sex, national origin, disability, or
17 social or economic background; or

18 (II) target a population related
19 on the basis of one or more of such
20 factors, if such targeting is designed
21 to meet the special needs of such pop-
22 ulation; and

23 (xii) using not less than 5 percent and
24 not more than 10 percent of funds made
25 available through the grant to provide

1 preservice and inservice training and edu-
2 cational materials and services for program
3 staff.

4 (D) MONITORING AND EVALUATION.—The
5 Assistant Secretary shall develop and establish
6 a system for monitoring and evaluating the ef-
7 fectiveness of activities funded under this Act.
8 The system shall utilize the standards for effec-
9 tive practices issued under subparagraph (C).

10 (E) COORDINATION.—The Assistant Sec-
11 retary shall consult with appropriate Federal
12 agencies to ensure effective coordination of pro-
13 grams funded under this Act with other Federal
14 programs serving youth and families.

15 (F) REPORT.—Every 2 years, the Assist-
16 ant Secretary shall submit to the President and
17 the Congress a report describing the activities
18 funded under this Act, and an assessment of
19 the effectiveness of the activities in meeting the
20 process and outcome objectives described in
21 subparagraph (A)(ii).

22 (d) RELATIONSHIP TO FEDERAL COUNCIL ON CHIL-
23 DREN, YOUTH, AND FAMILIES.—To provide improved co-
24 ordination of public and private services for youth and
25 their families, the National Commission shall—

1 (1) consult with the Federal Council on Chil-
2 dren, Youth, and Families established under section
3 918 of the Claude Pepper Young Americans Act of
4 1990 (42 U.S.C. 12314), in developing and imple-
5 menting strategies for improved coordination be-
6 tween activities funded under this Act and other
7 public and private services for youth and their fami-
8 lies; and

9 (2) submit a copy of any reports required under
10 subsection (c)(3)(F) to the Federal Council on Chil-
11 dren, Youth, and Families, concurrently with the
12 submission of the report to the President and the
13 Congress.

14 (e) STAFF AND CONSULTANTS.—

15 (1) STAFF.—

16 (A) IN GENERAL.—The National Commis-
17 sion may, without regard to the civil service
18 laws and regulations, appoint and terminate an
19 executive director and such other additional
20 personnel as may be necessary to enable the
21 Commission to perform its duties.

22 (B) COMPENSATION.—The National Com-
23 mission may fix the compensation of the execu-
24 tive director and other personnel without regard
25 to the provisions of chapter 51 and subchapter

1 III of chapter 53 of title 5, United States Code,
2 relating to classification of positions and Gen-
3 eral Schedule pay rates, except that the rate of
4 pay for the executive director and other person-
5 nel may not exceed the rate payable for level V
6 of the Executive Schedule under section 5316
7 of such title.

8 (2) CONSULTANTS.—The executive director
9 may procure the temporary and intermittent services
10 of experts and consultants and compensate the ex-
11 perts and consultants in accordance with section
12 3109(b) of title 5, United States Code, at rates for
13 individuals that do not exceed the daily equivalent of
14 the annual rate of basic pay prescribed for level IV
15 of the Executive Schedule under section 5315 of
16 such title.

17 (3) DETAILS OF PERSONNEL.—The head of any
18 Federal department or agency may detail on a reim-
19 bursable basis, or on a nonreimbursable basis for not
20 to exceed 180 calendar days during any fiscal year,
21 as agreed upon by the Director and the head of the
22 Federal agency, any of the personnel of that depart-
23 ment or agency to the National Commission to assist
24 the Commission in carrying out the duties of the
25 Commission under this Act. Any detail shall not in-

1 interrupt or otherwise affect the civil service status or
 2 privileges of the Federal employee.

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S 1746 IS—3

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